

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

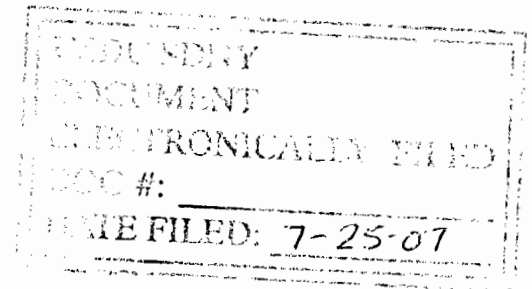
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JOHN R. BLUMATTE, a/k/a
ROBERT ANGONA, a/k/a
JOHN BLUE,

Plaintiff,

--against--

GERARD QUINN, DONALD ROGERS,
STEPHEN FARTHING, RANDOLPH LERNER, JR.,
DAVID LEVINSON, RUSSELL WILKINSON, EILEEN
GUGENHEIM, ROBERT BOLANDIAN,
CHRISTOPHER FORBES, MARGOT GORDON,
ROLAND GRYBAUSKAS, LUDWIG KUTTNER,
DOUGLAS OLIVER, DAVID SCHAFER,
DENNIS SMITH, THE GRADUATE SCHOOL OF
FIGURATIVE ART OF THE NEW YORK ACADEMY
OF ARTS and JEFFREY C. SLADE,

Defendants.
-----X



07 Civ. 2944 (JSR)

STIPULATION

STIPULATED AND AGREED that the only claims being asserted against
defendants Gerard Quinn and Donald Rogers in Plaintiff's Amended Complaint arise under 42
U.S.C. 1983 and are predicated upon these Defendants alleged use of excessive force in violation
of Plaintiff's rights arising under the Fourth and Fifth Amendments to the Constitution of the
United States; and it is further

STIPULATED AND AGREED that no claim for false arrest is being asserted
against either of these two Defendants.

Dated: New York, New York
_____, 2007

J. JOSEPH BANTON, ESQ.
Banton McCarthy, LLC
Attorney for Plaintiff
26 Broadway, Suite 2400
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(212) 480-3590

By: _____

J. Joseph Banton (JB-59341)

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for Defendants Quinn and Rogers
100 Church Street
New York, New York 10007
(212) 788-0906

By: _____

Shawn D. Fabian (SF4606)
Assistant Corporation Counsel

SO ORDERED:



HON. JED S. RAKOFF, U.S.D.J.

7-24-07